

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BRIAN T. SULLIVAN,

Plaintiff,

-- against --

ALAIN KODSI; LOUIS GRECO, individually
and as successor trustee of the Gamcrefk Trust;
the GAMCREFK TRUST; GEORGETTE
KODSI; and RACHEL FOSTER, individually
and as guardian of her children,

Defendants.
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: 04 CV 3994 (GEL) (JCF)

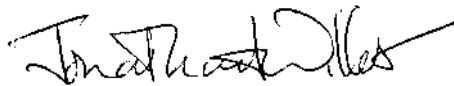
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: NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Declarations of Jonathan A. Willens, dated July 23, 2004, and the exhibits thereto, and the accompanying Memorandum of Law, defendants Alain Kodsi, Louis Greco, the GAMCREFK Trust, Georgette Kodsi and Rachel Foster will move this Court before the Honorable Gerard E. Lynch, at the United States Courthouse, 40 Centre Street, Room 518, New York, New York 10007, on the 11th day of September, 2004, at 9:30 A.M. or as soon thereafter as counsel may be heard, for an order, pursuant to Rules 12(b)(6) and 9(b) of the Federal Rules of Civil Procedure, dismissing the complaint.

Dated: New York, New York
July 23, 2004

JONATHAN A. WILLENS LLC

By:



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